

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANDREA RESNICK, et al.,

Plaintiff(s),

No. C 09-0002 PJH

v.

PRETRIAL ORDER NO. 1

WALMART.COM, et al.,

Defendant(s).

This document also applies to related actions:

C-09-0096 PJH	O'Connor v. Walmart.com, et al.
C-09-0111 PJH	Endzweig v. Walmart.com, et al.
C-09-0116 PJH	Schmitz v. Walmart.com, et al.
C-09-0138 PJH	Lynch, et al. v. Walmart.com, et al.
C-09-0139 PJH	Groce, et al. v. Netflix, et al.
C-09-0156 PJH	Sivek v. Walmart.com, et al.
C-09-0180 PJH	Faris v. Netflix, et al.
C-09-0225 PJH	Slobodin v. Netflix, et al.
C-09-0236 PJH	Anthony, et al. v. Walmart.com, et al.
C-09-0244 PJH	Polk-Stamps v. Netflix, et al.
C-09-0274 PJH	Sheeler v. Walmart.com, et al.
C-09-0294 PJH	Chapman v. Netflix, et al.
C-09-0297 PJH	Orozco v. Netflix, et al.
C-09-0340 PJH	Landels, et al. V. Netflix, et al.
C-09-0349 PJH	Grime v. Netflix, et al.
C-09-0361 PJH	Meyer v. Walmart.com, et al.
C-09-0368 PJH	Randall v. Walmart.com, et al.
C-09-0375 PJH	Hirsch v. Netflix, et al.
C-09-0377 PJH	Miscioscia v. Netflix, et al.
C-09-0378 PJH	Patras v. Netflix, et al.
C-09-0391 PJH	Chatelain v. Netflix, et al.
C-09-0398 PJH	Weiner v. Walmart.com, et al.
C-09-0399 PJH	Millrood v. Walmart.com, et al.
C-09-0400 PJH	Kober v. Walmart.com, et al.
C-09-0402 PJH	Lacabe v. Walmart.com, et al.
C-09-0434 PJH	Roy v. Netflix, et al.
C-09-0445 PJH	Bruno, et al. v. Walmart.com, et al.
C-09-0447 PJH	Zaker v. Netflix, et al.
C-09-0496 PJH	Parikh v. Netflix, et al.
C-09-0553 PJH	Johnson v. Walmart.com, et al.

1 C-09-0554 PJH Gannon v. Walmart.com, et al.
 C-09-0678 PJH Williams v. Netflix, et al.
 2 C-09-0956 PJH Norem v. Netflix, et al.
 C-09-0958 PJH Haddad v. Netflix, et al.
 3 C-09-0960 PJH Cornett v. Netflix, et al.
 C-09-0961 PJH Macias v. Netflix, et al.
 4 C-09-0962 PJH Randle v. Netflix, et al.
 C-09-1274 PJH Wiebe v. Netflix, et al.
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 7 Following the first case management conference in these cases, the court sets the
 8 following deadlines:

9 1. Within two weeks of the final decision of the Judicial Panel on Multidistrict
 10 litigation to either grant or deny the request to consolidate and transfer the cases in MDL
 11 No. 2029, In Re Online DVD Rental Antitrust Litigation, plaintiffs for the above-listed thirty
 12 nine cases, shall file either a stipulation or motion for appointment of lead counsel and
 13 liaison counsel and for approval of the organizational structure of plaintiffs' counsel.

14 2. Within thirty days of the final decision of the Judicial Panel on Multidistrict
 15 litigation to either grant or deny the request to consolidate and transfer the cases in MDL
 16 No. 2029, In Re Online DVD Rental Antitrust Litigation, plaintiffs for the above-listed thirty
 17 nine cases shall file a Consolidated Amended Complaint.

18 3. Defendants shall respond to the complaint within forty-five days.

19 4. The hearing on certain plaintiffs' motion to remand shall go forward on May
 20 13, 2009, unless the parties notify the court that they have stipulated to remand. The court
 21 would appreciate notification by April 22, 2009, the date the opposition is due, and in any
 22 event no later than April 29, 2009, the date the reply is due.

23 5. The parties shall meet and confer and jointly prepare a further case
 24 management conference statement taking into account the court's concerns as expressed
 25 at the April 9, 2009 conference and setting forth a comprehensive pretrial schedule. The
 26 joint statement shall be filed a week in advance of the second case management
 27 conference which will be held on July 9, 2009, at 2:30 p.m., and shall be accompanied by a
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1 proposed Pretrial Order No. 2. The date may be advanced or continued as discussed at
2 the conference by call to the courtroom deputy.

3 **IT IS SO ORDERED.**

4 Dated: April 13, 2009

